

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Elsie M. Mayard,

Civil No. 13-661 (DWF/JJK)

Plaintiff,

v.

•

Anthony Tallarico; Carlos Wong; Daniel Freiermuth;
Chad Slagter; Thoms Quinlan; John Harrington;
State of Minnesota; Does 1 through 10, individually
and in their official capacity; and City of St. Paul,

Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

This matter is before the Court upon Plaintiff Elsie M. Mayard's ("Plaintiff") *pro se* objections to Magistrate Judge Jeffrey J. Keyes's May 16, 2013 Report and Recommendation insofar as it recommends that Plaintiff's application for leave to proceed *in forma pauperis* be denied and this action be summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Elsie M. Mayard's objections (Doc. No. [6]) to Magistrate Judge Jeffrey J. Keyes's May 16, 2013 Report and Recommendation are **OVERRULED**.
2. Magistrate Judge Jeffrey J. Keyes's May 16, 2013 Report and Recommendation (Doc. No. [5]) is **ADOPTED**.
3. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.
4. This action is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 7, 2013

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge